

**Before the
Federal Communications Commission**

In the Matter of)	
)	
Amendment of Part 97 of the Commission's Rules Governing the Amateur Radio Services))	WT Docket No. 04-140

Comments Submitted by:

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To the Commissioners:

PREFACE

Thank you for the opportunity to comment on these matters. I do so with serious concern regarding the changes proposed in light of 18 more recent petitions currently before the Commission, which seek significant alterations in examination requirements for the Amateur Radio Service. Many of these also propose restructuring of operating privileges, proposals that conflict with those embodied in the current proceeding.

It would seem that the options available to the Commission in the instant situation are:

1. To proceed with the current rulemaking, only to revisit the same issues, and examination requirements, in the near future;
2. To postpone the current rulemaking until such time as the proposals contained in the 18 more recent petitions can be considered concurrently; or
3. To proceed with the current rulemaking and consider only the portions of the 18 more recent petitions dealing with examination requirements, disregarding the further restructuring of privileges contained therein.

Beyond these issues, the Commission will soon be (and may have already been) presented with various petitions to allocate amateur frequencies on the basis of bandwidth rather than mode, which will require the expenditure of additional resources for due consideration.

However, as WT Docket No. 04-140 embodies the scope of this inquiry, I will attempt to limit my comments to those matters. As it deals in large measure with the privileges afforded amateurs in the Novice, Technician Plus, and Technician (with CSCE certifying

Morse code examination credit) licensees, I will refer to these – where possible - simply as ‘entry class licensees.’

HIGH FREQUENCY PRIVILEGES

It is sometimes useful to examine such complicated proposals in a graphical format.

PRESENT CONFIGURATION					
BAND	LICENSE CLASS				
	NOVICE	TECH+ 2	GENERAL	ADVANCED	EXTRA
160	-	-	1.8 – 2.0	1.8 – 2.0	1.8 – 2.0
80	3.675–3.725	3.675–3.725	3.525-3.750 3.850-4.000	3.525-3.750 3.775-4.000	3.500-3.750 3.750-4.000
40	7.100-7.150	7.100-7.150	7.025-7.150 7.225-7.300	7.025-7.150 7.150-7.300	7.000-7.150 7.150-7.300
30	-	-	10.100-10.150	10.100-10.150	10.100-10.150
20	-	-	14.025-14.150 14.225-14.350	14.025-14.150 14.175-14.350	14.000-14.150 14.150-14.350
17	-	-	18.068-18.110 18.110-18.168	18.068-18.110 18.110-18.168	18.068-18.110 18.110-18.168
15	21.100-21.200	21.100-21.200	21.025-21.200 21.300-21.450	21.025-21.200 21.225-21.450	21.000-21.200 21.200-21.450
12	-	-	24.890-24.930 24.930-24.990	24.890-24.930 24.930-24.990	24.890-24.930 24.930-24.990
10	28.100-28.300 28.300-28.500	28.100-28.300 28.300-28.500	28.000-28.300 29.300-29.700	28.000-28.300 29.300-29.700	28.000-28.300 29.300-29.700

ARRL's PROPOSED CONFIGURATION					
BAND	LICENSE CLASS				
	NOVICE	TECH+ 2	GENERAL	ADVANCED	EXTRA
160	-	-	1.8 – 2.0	1.8 – 2.0	1.8 – 2.0
80	3.525-3.725	3.525-3.725	3.525-3.725 3.800-4.000	3.525-3.725 3.750-4.000	3.500-3.725 3.725-4.000
40	7.025-7.125	7.025-7.125	7.025-7.125 7.175-7.300	7.025-7.125 7.125-7.300	7.000-7.125 7.125-7.300
30	-	-	10.100-10.150	10.100-10.150	10.100-10.150
20	-	-	14.025-14.150 14.225-14.350	14.025-14.150 14.175-14.350	14.000-14.150 14.150-14.350
17	-	-	18.068-18.110 18.110-18.168	18.068-18.110 18.110-18.168	18.068-18.110 18.110-18.168
15	21.025-21.200	21.025-21.200	21.025-21.200 21.275-21.450	21.025-21.200 21.225-21.450	21.000-21.200 21.200-21.450
12	-	-	24.890-24.930 24.930-24.990	24.890-24.930 24.930-24.990	24.890-24.930 24.930-24.990
10	28.000-28.300 28.300-28.500	28.000-28.300 28.300-28.500	28.000-28.300 29.300-29.700	28.000-28.300 29.300-29.700	28.000-28.300 29.300-29.700

NOTES RELATING TO CHARTS ABOVE:

1. 60 meters is not shown.
2. "Tech+" should be understood as encompassing Technician Plus licensees as well as Technician licensees who possess a CSCE certifying Morse code examination credit.

Examining the charts above, we see that the proposed revisions are no less complicated than the privilege structure now in place. Nothing is really gained. While the Commission's Report and Order released 30 December 1999 and effective 15 April 2000 reduced the number of active license classes from six to three, it left in place, through grandfathering, a system comprised of six separate and identifiable sets of frequency / mode / power privilege allocations.

Perhaps it is time to take a step toward resolving this, and it can be done quite easily. All Advanced class licensees have passed a far more rigorous written examination than the current Amateur Extra, as well as a Morse codes test more than twice what is required today. By immediately granting to Advanced licensees operating privileges identical to those of Amateur Extra, we reduce the overly complex six-layer structure to a still complex five layers.

Yet another reduction in complexity is also easily accomplished. While Novice class licensees do not enjoy the same VHF/UHF privileges as Technician Pluses and Technicians with a CSCE certifying Morse code credit, their HF privileges are identical. As no new Novice licenses have been issued in more than four years and there remain only some 30,000 Novice licensees in the database, it seems that equalizing the privileges of those three groups would not be imprudent. Of the approximately 30,000 Novices, it is highly likely that a large number are either deceased or not active. Those that are active have accumulated a minimum of four years' experience with using radio frequencies, and it is doubtful they would encounter any difficulty in mastering VHF/UHF communications. Upon merging the privileges of Novices, Technician Pluses, and Technicians with a CSCE certifying Morse code credit, the current six-layer structure is further reduced to a far more manageable four layers.

This, then, sets the stage for the Commission to either maintain a very manageable four-tier licensing system or achieve its stated goal of a three-tier licensing system for amateur radio upon consideration of the 18 more recently filed petitions that deal with examination requirements in light of the ITU's revisions of Articles 25.5 and 25.6.

Concurrently with merging privileges as described above, some revision of the High Frequency (HF) privileges afforded amateur licensees does seem in order. However, I suggest it be done in a more limited fashion than suggested by the ARRL.

At present, some HF bands are divided equally between narrow bandwidth modes (CW, Digital, RTTY) and wide bandwidth modes (SSB, Image), while others are weighted a bit more heavily toward wide bandwidth operations. In considering the merits of changing this scheme, one must consider the possible benefits in light of §47 CFR 97.1.

There is no question that experimentation with and development of new transmission modes has been overwhelmingly running in the direction of narrow emission bandwidth. Probably the last significant development utilizing wide bandwidth transmission was Slow Scan Television (SSTV), in the 1950s. More recent work in that area has dealt mainly in simplifying the equipment required – moving from cumbersome hardware to infinitely more versatile software. As most experimentation and development is directed toward narrow

bandwidth emissions, the Commission would be ill advised to decrease the amount of spectrum available for that work.

The primary argument favoring expansion of the phone (wide bandwidth emission) portions of the HF bands seems to be the issue of overcrowding. If overcrowding exists, it seems logical to examine where this occurs. As there are (approximate numbers) 98,000 Amateur Extra, 86,000 Advanced, and 138,000 General class licensees, one might easily conclude that overcrowding – if it exists – is primarily confined to the General class phone portions.

Upon merging the privileges of Advanced and Amateur Extra licensees, as suggested earlier, some of the pressure is relieved. Then granting General class licensees privileges in the phone portions currently reserved for Advanced class licensees should take care of the remainder. Just that simply, significant extra phone (wide bandwidth emission) space is made available to both General and Advanced class licensees. This would negate any need to sacrifice narrow bandwidth emission spectrum for this purpose.

Let's take a graphical look at what I have suggested thus far:

PARTIAL SUGGESTED HF CONFIGURATION (Rightsell)				
BAND	LICENSE CLASS			
	NOVICE	TECH+ 2	GENERAL	ADVANCED / EXTRA
160	-	-	1.8 – 2.0	1.8 – 2.0
80	████████	████████	3.525-3.750 3.775-4.000	3.500-3.750 3.750-4.000
40	████████	████████	7.025-7.150 7.150-7.300	7.000-7.150 7.150-7.300
30	█	█	10.100-10.150	10.100-10.150
20	█	█	14.025-14.150 14.175-14.350	14.000-14.150 14.150-14.350
17	█	█	18.068-18.110 18.110-18.168	18.068-18.110 18.110-18.168
15	████████	████████	21.025-21.200 21.225-21.450	21.000-21.200 21.200-21.450
12	█	█	24.890-24.930 24.930-24.990	24.890-24.930 24.930-24.990
10	████████	████████	28.000-28.300 29.300-29.700	28.000-28.300 29.300-29.700

NOTES RELATING TO CHARTS ABOVE:

3. 60 meters is not shown.
4. "Tech+" should be understood as encompassing Technician Plus licensees as well as Technician licensees who possess a CSCE certifying Morse code examination credit.

Having accomplished a remedy for overcrowding in the phone (wide bandwidth emission) portions without reduction of narrow bandwidth emission portions, we must now examine the allocations afforded HF entry class licensees (Novice, Technician Plus, and Technician with CSCE certifying Morse code examination credit). Certainly some expansion is due. However, the ARRL proposal is far too sweeping.

When making significant changes in licensee privileges – especially for newer amateurs, it behooves the Commission to preserve its ability to examine the resultant behavior. This is most easily accomplished by setting clearly identifiable frequency allocations.

Historically, frequency allocations have been made on the basis of 25KHz and multiples thereof. But there is no special significance to that figure other than convenience. Therefore, I will break with that tradition to suggest expanded HF entry class privileges, but not to the extreme proposed by the ARRL.

HF entry class licensees should be granted narrow bandwidth emission privileges in the frequency ranges of 3.540 – 3.750MHz, 7.040 – 7.150MHz, 21.040 – 21.200MHz, and 28.000 – 28.300MHz. This is less than what is suggested by the ARRL, but still significantly more spectrum than is currently allowed. It will afford HF entry licensees the ability to communicate with fellow amateurs of all license classes, thus enhancing the entry license experience. As in comments previously filed with regard to more recently filed petitions, I suggest deleting voice privileges for entry class licensees because voice privileges have proven to distract entry licensees from study, experimentation, and expansion of operational and technical skills. Also, a review of Commission enforcement activities reveals that virtually all violations have occurred on voice modes.

Graphically, my suggested configuration would look like this:

FINAL SUGGESTED HF CONFIGURATION (Rightsell)			
BAND	LICENSE CLASS		
	NOVICE / TECH / TECH+ ²	GENERAL	ADVANCED / EXTRA
160	-	1.8 – 2.0	1.8 – 2.0
80	3.540-3.750	3.525-3.750 3.775-4.000	3.500-3.750 3.750-4.000
40	7.040-7.150	7.025-7.150 7.150-7.300	7.000-7.150 7.150-7.300
30	-	10.100-10.150	10.100-10.150
20	-	14.025-14.150 14.175-14.350	14.000-14.150 14.150-14.350
17	-	18.068-18.110 18.110-18.168	18.068-18.110 18.110-18.168
15	21.040-21.200	21.025-21.200 21.225-21.450	21.000-21.200 21.200-21.450
12	-	24.890-24.930 24.930-24.990	24.890-24.930 24.930-24.990
10	28.000-28.300	28.000-28.300 29.300-29.700	28.000-28.300 29.300-29.700

NOTES RELATING TO CHARTS ABOVE:

5. 60 meters is not shown.
6. "Tech+" should be understood as encompassing Technician Plus licensees as well as Technician licensees who possess a CSCE certifying Morse code examination credit.

Thus, all the stated goals of the ARRL petition and the Commission's desire to streamline are accommodated while narrow bandwidth emission spectrum is preserved for future experimentation and development.

Finally, a 200 watt power output limitation should be placed on entry class for all frequencies allocated to them. However, higher-class licensees operating within those frequencies should not be limited to the same power levels as entry licensees.

VERY HIGH FREQUENCY PRIVILEGES

Although the Commission's reluctance to act based on speculation is understandable, I do have some misgivings with regard to the Kenwood proposal to allow auxiliary stations to operation on the two meter band, and the proposal to allow spread spectrum operation on two and six meter bands. Perhaps an alternative to a permanent change in regulations might be preferable. I suggest the Commission allow these activities for a trial period of two years, and then consider what impacts, if any, have been observed before taking final action.

VANITY CALL SIGN SYSTEM

I believe the QCWA proposal to adopt an *in memoriam* provision is excellent, and commend the FCC for including it in this NPRM. This allows the individual amateur to make his own decision prior to death, rather than that duty falling to a relative who may not be sufficiently familiar with amateur radio or the club to make an intelligent decision.

I also wholeheartedly support the prohibition of multiple applications for the same call. Beyond that change, I suggest that the Commission should consider prohibiting amateurs from obtaining more than one vanity call sign per ten-year period. There are far too many amateurs who seem to be amused by changing their call signs every two or three years. Each time this happens, a call sign is removed from the available pool for an additional two years. This is unfair to others.

LIMITATIONS IMPOSED ON MANUFACTURERS

I do not believe that the first proposal in this section, eliminating the prohibition on domestic sales of external RF power amplifiers functional between 24 and 35 MHz and requiring a minimum of 50 watts drive power, is in the best interests of amateur radio. While the Citizens Band craze has diminished greatly, there are still many CBers who want to run higher than legal power. The Commission's enforcement arm has been quite active recently in dealing with this widespread problem. Eliminating this prohibition would be a major setback for enforcement activities.

I note that this proposal was not put forth by manufacturers. They have adapted quite easily and well to the prohibition, as have amateurs.

The Commission notes the disparity in rules between manufacturers and individual amateurs. That exists for a simple reason: amateurs are licensed electronics enthusiasts specifically authorized certain privileges between 24 and 35 MHz.

The other change proposed in this section would delete the definition of an external RF amplifier kit. Again, I believe this would be detrimental to the amateur radio community and to the Commission's enforcement successes. The Commission notes that an amateur radio operator might find it difficult to determine whether a group of electronic parts he purchases or possesses would be defined as an amplifier. However, there is a distinction that seems overlooked in this proposal. It is not a violation of Section 97.3(a)(19) to purchase or possess such a group of electronic parts. A violation occurs when a manufacturer attempts to market and sell such a group of parts as a kit in violation of Sections 97.315 and 97.317.

QUALIFYING EXAMINATION SYSTEM RULES

As a Volunteer Examiner and liaison for our local VE team, I am very much in opposition to deleting the requirement that examination session be publicly announced. First, this requirement helps ensure that the entire process is open and fair. Second, some interested individuals who are not amateurs, don't know any amateurs, and are unfamiliar with the area are assisted in finding exam session by these announcements.

The proposal to grant holders of expired Technician licenses granted after February 14, 1991 and who also has proof of passing the telegraphy examination credit for Element 1 runs afoul of Section 97.505(6), which specifies a CSCE is valid for no more than 365 days. If this proposal is adopted, it would seem that holders of an expired Technician license would be granted greater credit than holders of a current Technician license.

Eliminating the ten-day submission rule is probably a marginal issue at best. But it does provide some recourse in the event a VE liaison fails to submit an exam package to the VEC. It also provides incentive for VE liaisons who are procrastinators by nature (like myself) to submit exam packages in a timely manner.

Respectfully submitted,

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